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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/277,801	03/27/1999	LARRY WESTERMAN	SLA0135	4093

20575 7590 04/09/2003

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EXAMINER

SONG, HOSUK

ART UNIT	PAPER NUMBER
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2131

DATE MAILED: 04/09/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.  
**09/277,801**

Applicant(s)  
**WESTERMAN ET AL.**

Examiner  
**HO S. SONG**

Art Unit  
**2131**



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on Mar 27, 1999.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claims \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some\* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\*See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)                      4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)                      5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s). 2                      6) ☐ Other:

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DETAILED ACTION

*Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kawana(US 5,661,574).

In claims 1,3, Kawana disclose a method for inserting an identification modulation code in to a printed image in (col.4,lines 27-39). Kawana disclose inserting a start code into a subpixel modulation process in (col.4,lines 58-67). Kawana disclose subpixel modulation process in accordance with a code, wherein the code *corresponds to a print engine in* (col.4,lines 50-58 and col.5,lines 5-16). Kawana does not specifically disclose inserting a stop code. Official notice is taken that inserting a stop code is well known in the filed of data processing. One of ordinary skill in the art would be motivated to insert a stop code in order to instruct remote apparatus to exactly at what point data processing should proceed also known as initialization process and when to halt the process. This is a well known command between data and apparatus as to exactly how data should be handled and processed.

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In claim 2, Kawana disclose code is repeated several times throughout a printed image in (col.4,lines 9-14).

In claim 3, Kawana disclose modulating subpixel modulation process between two levels in (col.4,lines 20-58, col.5,lines 5-16).

In claim 4, Kawana disclose subpixel modulation process between full and half modulation in (col.14,lines 7-46).

In claim 5, Kawana disclose full and no modulation process in (col.4,lines 33-57).

In claims 6-7, Kawana does not specifically disclose inserting a start code modulation sequence of 11110011 and stop code modulation sequence of 0001111. Official notice is taken that inserting modulation sequence code of 11110011 and stop code modulation sequence of 0001111 is well known in the filed of data processing. One of ordinary skill in the art would be motivated to insert a start and stop code in order to instruct remote apparatus to exactly at what point data processing should proceed also known as initialization process and when to halt the process. This is a well known command between data and apparatus as to exactly how data should be handled and processed.

### *Conclusion*

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. .

a. Sato et al.(US 5,357,583) discloses apparatus for enhancing images.

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4. Any inquiry concerning this communication should be directed to Hosuk Song whose telephone number is (703)305-0042. The examiner can normally be reached on Tue-Fri from 6:00 am -4:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gail Hayes can be reached (703)305-9711.

Any inquiry of a general nature or relating to the status of this application or preceding should be directed to the Group receptionist, whose telephone number is (703)305-3900.

*ASH g*

*Gail Hayes*  
**GAIL HAYES**  
**SUPERVISORY PATENT EXAMINER**  
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